

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CYNTHIA A. ROBINSON,

Plaintiff,

vs.

DONALD ENGEL,

Defendant.

NO. CV-07-273-EFS
CV-08-3007-EFS

ORDER OF CONSOLIDATION

By Order filed January 15, 2008, the Court advised Plaintiff that her complaint contained deficiencies and directed her to either file an amended complaint in cause number CV-07-273-CI, or to voluntarily dismiss that action (Ct. Rec. 11). The Court specifically instructed Plaintiff to clearly label her amended complaint as the "First Amended Complaint" and to write cause number **CV-07-273-CI** in the caption. Ms. Robinson did not do so, and her amended complaint, submitted on January 24, 2008, was opened as a new action, and assigned cause number CV-08-3007-EFS.

Plaintiff, formerly a prisoner at the Yakima County Jail and now residing in Kittitas, Washington, was proceeding *pro se* and *in forma pauperis* in cause number CV-07-273-EFS. Defendant had not been served in that action. Because the new cause number was opened in error, **IT IS ORDERED** the District Court Executive shall **CONSOLIDATE** cause number **CV-08-3007-EFS** into cause number **CV-07-273-EFS**.

Accordingly, **IT IS HEREBY ORDERED:**

1. The District Court Executive shall **RE-TITLE** the caption of the complaint received in cause number CV-08-3007-EFS on January 24, 2008, with cause number **CV-07-273-EFS**, and identify it as the First Amended Complaint;
2. The District Court Executive shall then **FILE** the First Amended Complaint, *nunc pro tunc*, with the date of **January 24, 2008**, in cause number **CV-07-273-EFS**;
3. The District Court Executive shall **ENTER** this Order in cause number **CV-07-273-EFS**;
4. The District Court Executive shall then **file** a copy of this Order in cause number **CV-08-3007-EFS** and administratively **CLOSE CV-08-3007-EFS**;
5. Plaintiff should refer to cause number **CV-07-273-EFS** in her future correspondence with the court and is admonished to comply with Court directives to avoid future error and possible delays.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, forward a copy to Plaintiff, and forward the file to the undersigned judicial officer for review of the First Amended Complaint in **CV-07-273-EFS**.

DATED this 15th day of April 2008.

s/ Edward F. Shea
EDWARD F. SHEA
UNITED STATES DISTRICT JUDGE

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